

**REMARKS/ARGUMENTS**

The 3/1/05 Office Action indicated that previously pending claims 3, 7 and 11 allowable if rewritten in independent form to include the limitation of their base claims and any intervening claims. Newly added claims 14 and 16 correspond to previously pending claims 3 and 11, rewritten in independent form to include the limitations of their base claims and any intervening claims. Newly added claim 15 depends from claim 14, and corresponds to previously pending claim 7. It is respectfully submitted that the newly added claims 14-16 are now in condition for allowance.

**Rejection Claims under 35 USC 102 based on Figs. 1 and of the present Application:**

The 3/1/05 Office Action rejected claims 1, 2, 4-6, 8-10, 12 and 13 as being anticipated by the prior art shown in Fig. 1 and 2, referred to as admitted prior art (APA) in the 3/1/05 Office Action. In the rejection, the Office Action refers to the alternating source regions 122 and drain regions 120. It appears that the Office Action is interpreting the inner portion of the source regions which area adjacent to the area 126 of the APA as a face which orientated toward the face of drain region. The Office Action states that such a "broad interpretation is reasonable since there is nothing in the specification that the term "face" must be limited to the outside portion of the source region." 3/1/05 Office Action, p. 3. It is respectfully submitted, however that specification of the present application repeatedly shows figures of the source and drain regions of invention, and the APA, and consistently shows the face as the outside portion of the source or drain region, and the internal walls of the source region shown in the APA are never referred to as a face. Further, Fig. 1, and the discussion in the specification clearly describe the lengths (Ls and Ld) of the source and drain regions as being associated with the faces of the source and drain region, where the length Ls of the source region is clearly greater than the length of the drain region Ld.

Nonetheless in order to respond to the position articulated in the Office Action, the claims have been amended to so as to specify the source face referred to is an outer face. However, this amendment should not in anyway be interpreted as implying that the source need to have an inner wall as shown in the APA. Indeed the word "outer" is added solely to make clear that the inner wall of the source shown in the APA is not to be considered the same as the face which is recited in the present claims.

As shown in Fig. 1 of the present specification, it is respectfully submitted that it is clear that the length of the drain face  $L_d$  is clearly less than the length  $L_s$  of the outer face of the source. Independent claims 1 and 9 clearly recite that the length of the drain face is greater than the length of the source region outer face. Thus, it is respectfully submitted that claims 1 and 9 are patentable over the APA, and that the claims depending from claims 1 and 9 are patentable for at least the same reasons as their corresponding independent claims.

**Rejection Claims under 35 USC 102 as being anticipated by US Patent no. 6,437,402 (Yamamoto):**

The 3/1/05 Office Action rejected claims 1 and 9 as being anticipated by Yamamoto. In the rejection elements 13 and 14 of Fig. 1A are referred to as “source regions 13” and “drain regions 14”. See e.g., Office Action, p. 4. It is respectfully submitted, however, that a reading of Yamamoto shows that, in fact, element 13 is “source contact” and element 14 is a “drain contact”. See e.g., Yamamoto col. 1:lines 34-41. A review of Figures 1A and 1B of Yamamoto, and the related discussion therein appears to show that device has alternating sources and drains, but the source and drains are made using the gate edge as the mask and are therefore self aligned with the gate edge. See e.g., Yamamoto col. 1: lines 35-41. In the case of Fig. 1A and Fig. 1B the source and drain are squares in which the source contact 13 and the drain contact 14 are disposed, and the squares are clearly shown as having faces where the drain width = source width. It is important to note Fig. 1A and Fig. 1B show that the source contacts 13, and drain contacts 14, are not that actual extent of the drain and source. The actual width of the drain and source appear to be determined from the poly gate edge which is used as an implant mask and therefore the drain width = source width. Thus, it is respectfully submitted that Yamamoto clearly does not show or suggest a device where the length of the face of the drain is greater than the length of the face of the source as recited in claims 1 and 9. Therefore, it is respectfully submitted that claims 1 and 9 are patentable over Yamamoto.

**Conclusion**

For the reasons set forth above, it is believed that all claims present in this application are patentably distinguished over the references, and in condition for allowance. Therefore, reconsideration is requested, and it is requested that this application be passed to allowance.

Respectfully submitted,

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